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November 30, 1993

Mr. William F. Caton
Acting Secretary,
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Via Messenger

Re: Competitive Bidding
PP Docket No. 93-253

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Caton:

Submitted herewith on behalf of Roamer One, Inc. are an original and four (4) copies of its Reply Comments with respect to the above docket.

Kindly contact this office directly with any questions or comments concerning this submission.

Respectfully submitted,

William J. Franklin

William J. Franklin
Attorney for Roamer One, Inc.

Encs.

cc: Roamer One, Inc.
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Implementation of Section 309(j))
of the Communications Act)
)
Competitive Bidding)

PP Docket No. 93-253

To: The Commission

REPLY COMMENTS OF ROAMER ONE, INC.

Roamer One, Inc. ("Roamer One"), by its attorney and pursuant to Section 1.415 of the Commission's Rules, hereby replies to certain comments filed with respect to the Commission's Notice of Proposed Rulemaking in the above-captioned proceeding.^{1/} As set forth herein and in its Comments, Roamer One urges the Commission to recognize the specific technical, economic, and regulatory constraints of the 220 MHz mobile service, and retain random selection as the method for allocating 220 MHz licenses.

Roamer One's Comments were focused on the Commission's regulatory treatment of 220 MHz licensees, and issues ancillary thereto. Roamer One's Comments (at 1-4) demonstrated Roamer One's expertise in this unique and developing frequency band. Roamer One's Comments established the following points:

- For technical and regulatory reasons, the 220 MHz authorizations differ substantially from those at 800 MHz and 900 MHz.^{2/}

^{1/} 8 FCC Rcd ____ (FCC 93-455, released October 12, 1993) ("NPRM").

^{2/} Roamer One Comments at 2-4.

- The 220 MHz radio services have not developed, and no one knows how they will be used, or by whom.^{3/}
- For these reasons, 220 MHz licensees should be selected by lottery.^{4/}

In summary, Roamer One's comments provided detailed 220 MHz-specific information for the record.

Five other parties specifically addressed the proper selection mechanism for 220 MHz licenses. Four of them supported lotteries;^{5/} the fifth supported auctions for 220 MHz systems only in limited circumstances.^{6/} Thus, the great weight of applicable comments^{7/} supported Roamer One's position that lotteries should be used for 220 MHz licensees.

^{3/} Id. at 3, quoting NPRM, supra, ¶133 n.123.

^{4/} Id. at 4-7.

^{5/} Comments of the Utilities Telecommunications Council at 26-28 & n.23 (private radio frequency coordinator); Comments of American Mobile Telecommunications Association, Inc. at 16 (same); Comments of The E.F.Johnson Company at 6-7 (private radio equipment manufacturer); Comments of Securicor PMR Systems, Ltd. at 2-4 (developer of private radio equipment).

^{6/} Comments of National Association of Business and Educational Radio, Inc. at 9 (auctions only between applications for new systems) (private radio frequency coordinator).

^{7/} Other commenting parties erred by woodenly lumping all SMR-type services (800 MHz, 900 MHz, and 220 MHz) into a single regulatory category, concluding that "SMRS" should be auctioned. This categorization ignores the substantial regulatory and technical differences between 220 MHz authorizations on the one hand, and 800/900 MHz, on the other.

CONCLUSION

Accordingly, Roamer One, Inc. respectfully requests the Commission to retain its present system of granting initial 220 MHz licenses by random selection.

Respectfully Submitted,

ROAMER ONE, INC.

By: William J. Franklin
William J. Franklin
Its Attorney

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CERTIFICATE OF SERVICE

I, Andrea Kyle, a secretary in the law firm of William J. Franklin, Chartered, hereby certify that a copy of the foregoing Reply Comments of Roamer One, Inc. was mailed, first-class postage prepaid, this 30th day of November, 1993, to the following:

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